

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**RECRUITME, LLC,**

Plaintiff,

v.

**DM SERVICES, INC. AND W3 LTD,**

Defendants.

**Civil Action No. 2:13-CV-560**

**JURY TRIAL DEMANDED**

**DEFENDANTS' ANSWER TO COMPLAINT**

Defendants DM Services, Inc. and W3 Ltd. (collectively referred to as "Defendants") Answer the Complaint of Plaintiff RECRUITME, LLC as follows:

1. Admitted.
2. Admitted.
3. Denied and clarified. Defendant W3 Ltd. has an address of 14 Britannia Place, St. Heller, Jersey JE2 4SU.
4. Admitted.
5. Admitted as to the first sentence, otherwise denied.
6. Denied.
7. Insufficient information to admit or deny that Plaintiff is the owner of the asserted patent therefore denied.
8. Denied.
9. Insufficient information to admit or deny therefore denied.
10. Denied.

11. Denied.

**AFFIRMATIVE DEFENSES**

First Affirmative Defense

12. Plaintiff's claims for recovery are barred, in whole or in part, by the doctrines of unclean hands, waiver, estoppel, acquiescence, prosecution history estoppel, and/or laches.

Second Affirmative Defense

13. Plaintiff's claims for recovery are barred, in whole or in part, by Plaintiff's and/or its predecessor in interest's failure to comply with the marking and notice requirements set forth in 35 U.S.C. §287.

Third Affirmative Defense

14. Plaintiff is not entitled to equitable relief, including but not limited to preliminary or permanent injunction because it has an adequate remedy at law.

Other Defenses Reserved

15. Defendants have insufficient knowledge or information upon which to form a belief whether they may have additional, and as yet unstated, affirmative defenses available and reserve the right to assert additional defenses, at law or in equity, which may be developed through discovery in this action.

Wherefore, Defendants pray that Plaintiff take nothing by way of this Complaint.

Dated: November 19, 2013

Respectfully submitted,

**SIEBMAN, BURG, PHILLIPS  
& SMITH, L.L.P.**

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By: /s/ Clyde M. Siebman  
Clyde M. Siebman  
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**ATTORNEY FOR DEFENDANTS**

**CERTIFICATE OF SERVICE**

The undersigned certifies that on this 19th day of November, 2013, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3). Any other counsel of record will be served by facsimile transmission and/or first class mail.

By: /s/ Clyde M. Siebman  
Clyde M. Siebman